IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.W.P.NO.2967 OF 2005

Gajanan Shivram Karve ..Petitioner
Vs.
The State of Maharashtra ..Respondents

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Smt.S.B.Mishra Advocate (appointed) for Petitioner
Mr.V.B.Konde-Deshmukh, A.P.P. for State

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CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.
DATE : APRIL 7,2006

ORDER ORDER : (PER SMT. V.K.TAHILRAMANI,J):

1. Heard learned advocate for the petitioner and learned A.P.P. for the State. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough. The said application for furlough came to be rejected on the ground that the surety which was furnished by the petitioner, was old and hence, surety would not be able to keep a check on the petitioner during the period that he is on furlough. It is found that the surety is the father of the petitioner, he is aged 52 years and he is in sound state of health. Hence, we find that he is in a position to keep check on the petitioner during the period that he is on

furlough.

3. The learned A.P.P. has stated that as witnesses are residing in Dadar and Worli area, it is apprehended that petitioner would threaten the witnesses residing in these areas. In our view, the said apprehension can be taken care of by imposing certain conditions.

4. The petitioner be released on furlough in accordance with the usual terms and conditions. In addition thereto, the petitioner shall inform the address at which he will reside during the period that he is on furlough. He will report to the nearest police station to that address twice in a week during the period that he is on furlough. The petitioner shall not enter the areas of Dadar and Worli during the period that he is on furlough.

5. Rule made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]